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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,314	11/20/2003	Masahiro Kawano	9448-148US (G0303US)	9762
570	7590	10/03/2005	EXAMINER	
AKIN GUMP STRAUSS HAUER & FELD L.L.P. ONE COMMERCE SQUARE 2005 MARKET STREET, SUITE 2200 PHILADELPHIA, PA 19103			CHEN, SOPHIA S	
			ART UNIT	PAPER NUMBER
			2852	

DATE MAILED: 10/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AKC

Office Action Summary

Application No.

10/718,314

Applicant(s)

KAWANO, MASAHIRO

Examiner

Sophia S. Chen

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
 Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,6,7,9 and 10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,2 and 4 is/are allowed.
- 6) ☒ Claim(s) 10 is/are rejected.
- 7) ☒ Claim(s) 6,7 and 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings filed 9/12/05 have been received. The drawings are approved.

Claim Objections

2. Claims 6, 7, and 9 are objected to because of the following informalities:
 - a. Claim 6, line 1, "voltage setting" should be "voltage-setting" to be consistent with the terminology used in claim 4.
 - b. Claim 7, line 5, there is no antecedent basis for "the non-image forming mode". The Examiner suggests changing "the non-image forming mode" to "a non-image forming mode".
 - c. Claim 7, line 6, "voltage setting" should be "voltage-setting" to be consistent with the terminology used in claim 10
 - d. Claim 9, line 6, there is no antecedent basis for "the non-image forming mode". The Examiner suggests changing "the non-image forming mode" to "a non-image forming mode".
 - e. Claim 9, line 7, "the current" should be either "the first current" or "the second current".

Appropriate correction is required.

Claim Rejections – 35 U.S.C. §102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2852

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 10 is rejected under 35 U.S.C. 102(b) as being anticipated by Umeno (JP 2000-206766 A, cited in previous Form PTO-892).

Umeno discloses an image forming apparatus, comprising: a photoconductive body 1 including a surface on which an electrostatic latent image is formed (Figure 1); a charging member 2 that charges the surface of the photoconductive body 1 (Figure 1); a developing member 8 that causes developer to adhere to the electrostatic latent image to develop the electrostatic latent image (Figure 1); a developer-supplying member 9 that supplies the developer to the developing member 8; a current measuring section 13 that measures a current flowing through the developing member 8 (Figure 2); and a voltage-setting section 17 that sets the charging member 2 to a voltage in accordance with the current (abstract and Figure 2).

Allowable Subject Matter

5. Claims 1, 2, and 4 are allowed.
6. Claim 6 is allowable over the prior art; however, it is found to be objectionable for the reason specified above.
7. Claims 7 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Response to Arguments


9. Applicant's arguments filed 9/12/05 have been fully considered but they are not persuasive. Applicant believes claim 10 is patentable because neither Hiraoka nor Kishimoto discloses a current measuring section that measures a current flowing through a developing member or a developer-supplying member. However, Umeno (previously listed in Form PTO-892) discloses the feature. See above rejection.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sophia S. Chen whose telephone number is (571) 272-2133. The examiner can normally be reached on M-F (7:00-3:00) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley can be reached on (571) 272-2136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Sophia S. Chen
Primary Examiner
Art Unit 2852

Ssc
September 30, 2005

Application No. 10/718,314
Reply to Office Action of June 8, 2005

Amendments to the Drawings:

The attached four formal drawing sheets replace the original sheets of formal drawings.

FIG. 2: Remove the legend "A" from box 28.

FIG. 3: Remove legend R1, R3, R4, R5, R6 and R7.

FIG. 7: Remove legend DI.

FIG. 9: Remove legend Va and the legend "A" from box 28.

FIG. 10: Add legend Idta.

Attachment: Replacement Drawing Sheets (4 sheets)

Approved (sc) 9/29/05
mailroom date 9/12/05